

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): ADDRESS WHERE YOU WANT MAIL SENT:  TELEPHONE NO. (Optional): FAX NO. (Optional): ATTORNEY FOR (Name):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PROTECTED PERSON:  RESTRAINED PERSON:	
<b>RESTRAINING ORDER AFTER HEARING (CLETS)</b> <b>(Domestic Violence Prevention)</b>	

This form may be used with the Findings and Order After Hearing (form 1296.31), if the court makes additional orders.

1. This proceeding was heard by judicial officer (name):  
 on (date): \_\_\_\_\_ at (time): \_\_\_\_\_ in Dept.: \_\_\_\_\_ Room: \_\_\_\_\_
2. a. ☐ The person seeking to be protected and the person to be restrained were personally present at the court hearing. No additional proof of service of this restraining order is required.
- b. ☐ The person seeking the restraining order was personally present, and proof of service of the *Order to Show Cause and Application for Order and Supporting Declaration* was presented to the court.
- c. ☐ By written stipulation. No additional proof of service of this restraining order is required.

**THE COURT FINDS:**

3. a. The restrained person is (name): \_\_\_\_\_ ☐ Defendant/Respondent ☐ Plaintiff/Petitioner

Sex: ☐ M ☐ F Ht.: \_\_\_\_\_ Wt.: \_\_\_\_\_ Hair color: \_\_\_\_\_ Eye color: \_\_\_\_\_ Race: \_\_\_\_\_ Age: \_\_\_\_\_ Birth date: \_\_\_\_\_

- b. The protected person is (name): \_\_\_\_\_
- c. The protected family and household members are (list first and last names of all protected people under this order): \_\_\_\_\_

**THE COURT ORDERS:**

**THIS ORDER, EXCEPT FOR ANY AWARD OF CHILD CUSTODY, VISITATION, OR CHILD SUPPORT, SHALL EXPIRE AT MIDNIGHT ON (date):**  
**OR AT (date and time of continued hearing):**  
**IF NO DATE IS PRESENT, THIS ORDER EXPIRES THREE YEARS FROM THE DATE OF ISSUANCE.**

4. The restrained person
  - a. **shall not** contact, molest, harass, attack, strike, threaten, sexually assault, batter, telephone, send any messages to, follow, stalk, destroy the personal property of, disturb the peace of, keep under surveillance, or block movements in public places or thoroughfares of: ☐ the person seeking the order ☐ the other protected person(s) listed in item 3c except for peaceful contacts related to court ordered visitation of the minor children as set forth on page 2 of this order.
  - b. ☐ **must** immediately move from (address): \_\_\_\_\_
  - c. ☐ **shall** stay at least (*specify*): \_\_\_\_\_ **yards** away from the following protected persons and places:
    - (1) ☐ person seeking the order
    - (2) ☐ the other protected persons listed in item 3c
    - (3) ☐ residence of person seeking the order
    - (4) ☐ place of work of person seeking the order
    - (5) ☐ the children's school or place of child care (*specify*): \_\_\_\_\_
    - (6) ☐ protected person's vehicle (*specify*): \_\_\_\_\_
    - (7) ☐ other (*specify*): \_\_\_\_\_

(Continued on reverse)

Page one of three

PROTECTED PERSON (name):	CASE NUMBER:
RESTRAINED PERSON (name):	

*Read this order carefully. Taking or concealing a child in violation of this order may be a felony and punishable by confinement in state prison, a fine, or both. Any person subject to a restraining order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Possession of a firearm while subject to this order may be a felony under federal law punishable by up to ten (10) years in prison and a \$25,000 fine.*

5. ☐ **CHILD CUSTODY AND VISITATION**

The custody and visitation of the minor children is ordered as set forth in the attached forms, which are incorporated herein and made an operative part of this order. Peaceful contacts shall be allowed related to court-ordered visitation.

- a. ☐ *Child Custody and Visitation Order Attachment* (form 1296.31A)
- b. ☐ *Supervised Visitation Order* (form 1296.31A(1))
- c. ☐ Other (specify):

6. ☐ **CHILD SUPPORT**

Child support for the minor children shall be ordered as set forth in the attached forms, which are incorporated herein and made an operative part of this order.

- a. ☐ *Child Support Information and Order Attachment* (form 1296.31B)
- b. ☐ Other (specify):

7. ☐ **ADDITIONAL ORDERS**

Additional orders relating to property control, debt payment, attorney fees, restitution, counseling and/or other orders are set forth in the attached forms, which are incorporated herein and made an operative part of this order.

- a. ☐ *Domestic Violence Miscellaneous Orders Attachment* (form 1296.31E)
- b. ☐ Other (specify):

8. **FIREARM RELINQUISHMENT**

**The restrained person is ordered to give up any firearm in or subject to his or her immediate possession or control within**

- a. ☐ **24 hours after issuance of this order**
- b. ☐ **48 hours after service of this order**
- c. ☐ **other (specify):**

Any firearms should be surrendered to the control of local law enforcement, sold to a licensed gun dealer, or relinquished pursuant to Family Code section 6389. **The restrained person shall file a receipt with the court showing compliance with this order within 72 hours of receiving this order.**

- 9. ☐ The restrained person is ordered to participate in a certified batterer's program for 12 months at that party's expense with the results of attendance and completion to be provided to the court.
- 10. ☐ Fees for service of this order by law enforcement are waived.
- 11. ☐ A copy of this order shall be delivered by the protected person to the law enforcement agency having jurisdiction over the residence of the protected person, who shall provide information to assist in identifying the restrained person. Proof of service of this order on the restrained person shall also be provided to law enforcement unless the order shows the restrained person was present in court. The law enforcement agency having jurisdiction over the plaintiff's residence is (name and address of agency):

(Continued on page three)

PROTECTED PERSON (name):  RESTRAINED PERSON (name):	CASE NUMBER:
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12. ☐ A copy of this order shall be given to the additional law enforcement agencies listed below by the protected person or the protected person's attorney:

Law enforcement agency

Address

13. Any attachments noted in items 5, 6, and 7 of this order are attached hereto, incorporated herein, and made a part of this order.

Number of pages attached: \_\_\_\_\_

Date:

\_\_\_\_\_  
JUDICIAL OFFICER

This order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If proof of service on the restrained person has not been received, and the restrained person was not present at the court hearing, the law enforcement agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this restraining order are subject to state and federal criminal penalties. This order meets all Full Faith and Credit requirements of the Violence Against Women Act, 18 U.S.C. 2265 (1994) (VAWA). This court has jurisdiction of the parties and the subject matter; the defendant has been afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. This order is valid and entitled to enforcement in this and all other jurisdictions.

#### NOTICE REGARDING FIREARMS

Any person subject to a restraining order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000 fine and imprisonment. Under federal law, the issuance of a restraining order after hearing will generally prohibit the restrained person from owning, accepting, transporting, or possessing firearms or ammunition. A violation of this prohibition is a separate federal crime.

#### CLERK'S CERTIFICATE

[SEAL] I certify that the foregoing *Restraining Order After Hearing (CLETS)* is a true and correct copy of the original on file in the court.

Date:

Clerk, by \_\_\_\_\_, Deputy